

## PROPOSED CONSTITUTIONAL AMENDMENTS

ty Dollars (\$20) per month to Twenty-five Dollars (\$25) per month subject to certain conditions for payment in excess of Twenty-one Dollars (\$21) per month and on the total yearly expenditure out of state funds for assistance to needy aged, needy blind, and needy children from Forty-two Million Dollars (\$42,000,000) per year to Forty-seven Million Dollars (\$47,000,000) per year; and allocating and appropriating additional sums, supplementing current legislative appropriations, for payment of assistance grants."

"AGAINST the Constitutional Amendment increasing the limit on the maximum monthly payment to needy aged persons from state funds from Twenty Dollars (\$20) per month to Twenty-five Dollars (\$25) per month subject to certain conditions for payment in excess of Twenty-one Dollars (\$21) per month and on the total yearly expenditure out of state funds for assistance to needy aged, needy blind, and needy children from Forty-two Million Dollars (\$42,000,000) per year to Forty-seven Million Dollars (\$47,000,000) per year; and allocating and appropriating additional sums, supplementing current legislative appropriations, for payment of assistance grants."

Sec. 3. The Governor of Texas shall issue the necessary proclamation for the election and this Amendment shall be published as required by the Constitution and laws of this State.

Adopted by the House, February 19, 1957: Yeas 132, Nays 10; the House concurred in Senate amendments May 22, 1957: Yeas 130, Nays 3; passed by the Senate, as amended, May 15, 1957: Yeas 28, Nays 0.

Approved June 6, 1957.

Filed with the Secretary of State June 10, 1957.

To be voted at Election held Nov. 5, 1957.

## TEXAS WATER DEVELOPMENT FUND—STATE BOND ISSUE

### H. J. R. No. 3

Proposing an amendment to the Constitution of Texas adding a section to be known as Section 49-c of Article III, providing for the issuance and sale of bonds of the State of Texas to create the Texas Water Development Fund to provide financial assistance to certain political subdivisions or bodies politic and corporate of the State of Texas in the conservation and development of the water resources of the State; providing for the payment of such bonds; creating an agency to administer said Fund and to perform other duties prescribed by law; limiting the period during which financial assistance may be granted; and providing for the calling of an election and the publication and issuance of the proclamation therefor.

*Be it resolved by the Legislature of the State of Texas:*

Section 1. That Article III of the Constitution of Texas be amended by adding a new section thereto to be known as Section 49-c, as follows:

"Section 49-c. There is hereby created as an agency of the State of Texas the Texas Water Development Board to exercise such powers as necessary under this provision together with such other duties and restrictions as may be prescribed by law. The qualifications, compensation, and number of members of said Board shall be determined by law. They shall be appointed by the Governor with the advice and consent of the Senate in the manner and for such terms as may be prescribed by law.

"The Texas Water Development Board shall have the authority to provide for, issue and sell general obligation bonds of the State of Texas in an amount not to exceed One Hundred Million Dollars (\$100,000,000). The Legislature of Texas, upon two-thirds ( $\frac{2}{3}$ ) vote of the elected Mem-

## HOUSE JOINT RESOLUTIONS

bers of each House, may authorize the Board to issue additional bonds in an amount not exceeding One Hundred Million Dollars (\$100,000,000). The bonds authorized herein or permitted to be authorized by the Legislature shall be called 'Texas Water Development Bonds,' shall be executed in such form, denominations and upon such terms as may be prescribed by law, provided, however, that the bonds shall not bear more than four per cent (4%) interest per annum; they may be issued in such installments as the Board finds feasible and practical in accomplishing the purpose set forth herein.

"All moneys received from the sale of State bonds shall be deposited in a fund hereby created in the State Treasury to be known as the Texas Water Development Fund to be administered (without further appropriation) by the Texas Water Development Board in such manner as prescribed by law.

"Such fund shall be used only for the purpose of aiding or making funds available upon such terms and conditions as the Legislature may prescribe, to the various political subdivisions or bodies politic and corporate of the State of Texas including river authorities, conservation and reclamation districts and districts created or organized or authorized to be created or organized under Article XVI, Section 59 or Article III, Section, 52, of this Constitution, interstate compact commissions to which the State of Texas is a party and municipal corporations, in the conservation and development of the water resources of this State, including the control, storing and preservation of its storm and flood waters and the waters of its rivers and streams, for all useful and lawful purposes by the acquisition, improvement, extension, or construction of dams, reservoirs and other water storage projects, including any system necessary for the transportation of water from storage to points of treatment and/or distribution, including facilities for transporting water therefrom to wholesale purchasers, or for any one or more of such purposes or methods.

"Any or all financial assistance as provided herein shall be repaid with interest upon such terms, conditions and manner of repayment as may be provided by law.

"While any of the bonds authorized by this provision or while any of the bonds that may be authorized by the Legislature under this provision, or any interest on any of such bonds, is outstanding and unpaid, there is hereby appropriated out of the first moneys coming into the Treasury in each fiscal year, not otherwise appropriated by this Constitution, an amount which is sufficient to pay the principal and interest on such bonds that mature or become due during such fiscal year, less the amount in the sinking fund at the close of the prior fiscal year.

"The Legislature may provide for the investment of moneys available in the Texas Water Development Fund, and the interest and sinking funds established for the payment of bonds issued by the Texas Water Development Board. Income from such investment shall be used for the purposes prescribed by the Legislature. The Legislature may also make appropriations from the General Revenue Fund for paying administrative expenses of the Board.

"From the moneys received by the Texas Water Development Board as repayment of principal for financial assistance or as interest thereon, there shall be deposited in the interest and sinking fund for the bonds authorized by this Section sufficient moneys to pay the interest and principal to become due during the ensuing year and sufficient to establish and maintain a reserve in said fund equal to the average annual principal and interest requirements on all outstanding bonds issued under this Section. If any year prior to December 31, 1982 moneys are received in excess of the foregoing requirements then such excess shall be deposited

## PROPOSED CONSTITUTIONAL AMENDMENTS

to the Texas Water Development Fund, and may be used for administrative expenses of the Board and for the same purposes and upon the same terms and conditions prescribed for the proceeds derived from the sale of such State bonds. No grant of financial assistance shall be made under the provisions of this Section after December 31, 1982, and all moneys thereafter received as repayment of principal for financial assistance or as interest thereon shall be deposited in the interest and sinking fund for the State bonds; except that such amount as may be required to meet the administrative expenses of the Board may be annually set aside; and provided, that after all State bonds have been fully paid with interest, or after there are on deposit in the interest and sinking fund sufficient moneys to pay all future maturities of principal and interest, additional moneys so received shall be deposited to the General Revenue Fund.

"All bonds issued hereunder shall after approval by the Attorney General, registration by the Comptroller of Public Accounts of the State of Texas, and delivery to the purchasers, be incontestable and shall constitute general obligations of the State of Texas under the Constitution of Texas.

"Should the Legislature enact enabling laws in anticipation of the adoption of this amendment, such acts shall not be void by reason of their anticipatory nature."

Sec. 2. The foregoing amendment to the Constitution shall be submitted to a vote of the qualified electors of this State at an election to be held on the 5th day of November, 1957, same being the 1st Tuesday after the 1st Monday in said November, 1957, at which election each ballot shall have printed thereon, the following words:

"FOR the amendment to the Constitution of Texas adding a new section to be known as Section 49-c of Article III, authorizing the issuance and sale of Two Hundred Million Dollars (\$200,000,000) in bonds by the State of Texas to create the Texas Water Development Fund to provide financial assistance to certain political subdivisions or bodies politic and corporate of the State of Texas in the conservation and development of the water resources of the State."

"AGAINST the amendment to the Constitution of Texas adding a new section to be known as Section 49-c of Article III, authorizing the issuance and sale of Two Hundred Million Dollars (\$200,000,000) in bonds by the State of Texas to create the Texas Water Development Fund to provide financial assistance to certain political subdivisions or bodies politic and corporate of the State of Texas in the conservation and development of the water resources of the State."

Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for said election and have the same published as required by the Constitution and laws of this State. The expense of publication and election for such amendment shall be paid out of the proper appropriation made by law.

Adopted by the House, February 19, 1957: Yeas 147, Nays 1; the House refused to concur in Senate amendments, March 18, 1957, and requested appointment of a Conference Committee to consider differences between the two Houses; the House adopted the Conference Committee Report, April 23, 1957: Yeas 123, Nays 9; passed by the Senate, with amendments, March 6, 1957: Yeas 28, Nays 2; at the request of the House, the Senate appointed a Conference Committee to consider differences between the two Houses; the Senate adopted Conference Committee Report, May 21, 1957: Yeas 30, Nays 0.

Approved June 6, 1957.

Filed with the Secretary of State June 10, 1957.

To be voted at election to be held Nov. 5, 1957.